

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION

WERNLE YOUTH AND FAMILY	)	
TREATMENT CENTER,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 1:21-cv-00614-JRS-MPB
	)	
MARK BUTLER,	)	
ATLANTA NATIONAL PROCESSING	)	
CENTER,	)	
	)	
Defendants.	)	

**REPORT AND RECOMMENDATION**  
**HON. MAGISTRATE JUDGE MATTHEW P. BROOKMAN**

On March 14, 2021, Plaintiff Wernle Youth and Family Treatment Center filed this Labor Litigation matter against Defendants Mark Butler and Atlanta National Processing Center. ([Dkt. No. 1](#)). On May 25, 2021, Plaintiff filed an Amended Complaint ([Dkt. No. 4](#)) and the Clerk of Court issued the Summons on May 26, 2021, as to both Defendants. ([Dkt. No. 6](#)).

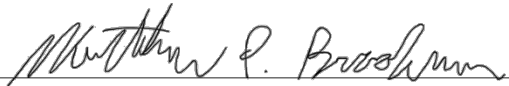
On September 3, 2021, the Court ordered Plaintiff to show cause on or before October 3, 2021, why this action should not be dismissed for failure to prosecute in accordance with Rule 4(m) of the Federal Rules of Civil Procedure. ([Dkt. No. 7](#)). The Court's order noted that "[i]f good cause is not shown by that date, the Court will recommend dismissal of this action without prejudice. *Id.*

To date, Plaintiff has not responded to the order to show cause. Accordingly, the Magistrate Judge recommends the Plaintiff's Complaint be **DISMISSED** without prejudice, pursuant to Rule 4(m) of the Federal Rules of Civil Procedure, for Plaintiff's failure to prosecute this matter.

Any objections to the Magistrate Judge's Report and Recommendation shall be filed with the Clerk in accordance with 28 U.S.C. § 636(b)(1) and Fed. R. Civ. P. 72(b), and failure to timely file objections within fourteen days after service shall constitute a waiver of subsequent review absent a showing of good cause for such failure.

SO ORDERED.

Date: October 29, 2021

  
Matthew P. Brookman  
United States Magistrate Judge  
Southern District of Indiana

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